

AO 441 (Rev. 8/01) Third Party Summons in a Civil Action

## UNITED STATES DISTRICT COURT

Southern

District of

New York

## PLAINTIFF

TM Asia Insurance Singapore, Ltd.  
a/s/o Perfumes Distributors, Inc.

## V. DEFENDANT AND THIRD PARTY PLAINTIFF

Primary Freight Services, Inc.

## AMENDED

THIRD PARTY SUMMONS IN A  
CIVIL ACTION

Case Number: 08-cv-3729

## V. THIRD PARTY DEFENDANT

NYK Line; Nippon Yusen Kaisha Line  
NYK Line (North America), Inc. et al.

To: Name and address of Third Party Defendant

See attached Service list. The Heat Express, Inc.  
8811 N.W. 23<sup>rd</sup> Street  
Miami, Florida 33172

METRO PROCESS SVCE.  
REC'D *Agent*  
SERVED *Amado GUERRA*  
DATE *7/15/08* TIME *11:50 AM*  
PS *WICKER 773*

YOU ARE HEREBY SUMMONED and required to serve on

PLAINTIFF'S ATTORNEY (name and address)

James P. Krauzlis, Esq.  
Badiak & Will, LLC  
106 Third Street  
Mineola, NY 11501

DEFENDANT AND THIRD-PARTY PLAINTIFF'S ATTORNEY  
(name and address)

David Y. Loh, Esq.  
Cozen O'Connor  
45 Broadway Atrium, Suite 1600  
New York, NY 10006

an answer to the third-party complaint which is served on you with this summons, within 20 days after the service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default may be taken against you for the relief demanded in the third-party complaint. There is also served on you with this summons a copy of the complaint of the plaintiff. You have the option of answering or not answering the plaintiff's complaint, *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the third-party plaintiff is demanding judgment against you in favor of the original plaintiff under the circumstances described in Rule 14(c) Federal Rules of Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of plaintiff as well as to the claim of the third-party plaintiff. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

JUL 08 2008

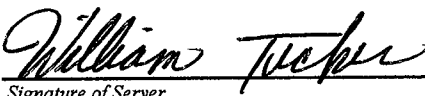
J. MICHAEL McMAHON

CLERK

DATE

*Carrie L. Sney*  
CLERK

AO 441 (Rev. 8/01) Third Party Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE <b>7/16/08 @ 11:50 AM</b>	
NAME OF SERVER <b>WILLIAM TUCKER</b>	TITLE <b>PROCESS SERVER LPS# 773</b>	
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the third-party defendant. Place where served:  <input type="checkbox"/> Left copies thereof at the third-party defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:  <input type="checkbox"/> Returned unexecuted:  <input checked="" type="checkbox"/> Other (specify): <b>BY LEAVING DOCUMENTS WITH AMANDO GUERRA AS REGISTERED AGENT.</b>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="width: 30%;"> <p>Executed on <u><b>JUL 16 2008</b></u></p> <p style="text-align: center; font-size: small;">Date</p> </div> <div style="width: 60%;"> <p style="text-align: center;"></p> <p style="text-align: center; font-size: small;">Signature of Server</p> </div> </div> <div style="text-align: center; margin-top: 20px;"> <p><u><b>19 West Flagler St. Miami FL 33130</b></u></p> <p style="font-size: small;">Address of Server</p> </div>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

**Service List of Third Parties Defendants**

NYK Line- N.Y. K. Building, 3-2, Marunouchi 2-Chome, Chiyoda-ku Tokyo 100-0005, Japan.

Nippon Yusen Kaisha, N.Y.K. Building, 3-2, Marunouchi 2-Chome, Chiyoda-ku Tokyo 100-0005, Japan.

NYK Line (North America), Inc. 300 Lightning Way, Secaucus, NJ 07094

Hapag-Lloyd Container Linie GMBH, Area North, Senator-Bortscheller-Str. 1, Terminal Vesses Operation, D-27568, Bremerhaven, Germany

Hapag-Lloyd (America) Ltd., 377 Hoes Lane, Piscataway, NJ, 08854

Kase Container Line Ltd., 19 Carpenter Street, #01-01, Singapore 059908

Kase Lines (S) PTE Ltd., 19 Carpenter Street, #01-01, Singapore 059908

Top Container Line, Inc., 8901 Kennedy Blvd., #4SE (4<sup>th</sup> Fl), North Bergen, NJ 07047

Crimson Logistic Services PTE Ltd., Blk 1001, Jalan Bukit Merah #07-12, Redhill Industrial Estate, Singapore 159455

Veeco Crest CFS, 6801 Westside Avenue, North Bergen, NJ 07047

Cargo Connection Logistics, 600 Bayview Avenue, Inwood, NY 11096

Ramy Transport Corp., 8440 S.W. 38 Street #4, Miami, FL 33155

Heat Express, 7301 S.W. 133 Avenue, Miami, FL 33183

The Heat Express, Inc., 8811 NW 23<sup>rd</sup> Street, Miami, FL 33172

**RETURN OF SERVICE**

UNITED STATES DISTRICT COURT  
Southern District of Florida

Case Number: 08-CV-3729

Plaintiff:

**TM ASIA INSURANCE SINGAPORE, LTD., a/s/o PERFUMES  
DISTRIBUTORS, INC.**

vs.

Defendant:

**PRIMARY FREIGHT SERVICES, INC., ET AL.**

For:

David Y. Loh, Esq.  
COZEN O'CONNER ATTORNEYS  
45 Broadway  
Suite #1600  
New York, NY 10006

Received by Metro Process Service, Inc. on the 10th day of July, 2008 at 9:00 am to be served on **THE HEAT EXPRESS, INC., 8811 N.W. 23rd Street, Miami, FL 33172.**

I, William Tucker, do hereby affirm that on the **15th day of July, 2008 at 11:50 am, I:**

served the within named corporation a true copy of the **Amended Third Party Summons In A Civil Action and 20 Day/Complaint** with the date and hour of service endorsed thereon by me to **AMANDO GUERRA** as **AUTHORIZED AGENT** or any employee of defendant corporation in the absence of any superior officer as defined in Florida Statute, Section 48.081 when defendant's corporation does not keep a registered agent present or a sign posted in the office in some conspicuous place designating the name of the corporation **THE HEAT EXPRESS, INC.** and the name of its registered agent on whom process may be served as required by Florida Statute, Section 48.091.

I certify that I am over the age of 18, have no interest in the above action, and am authorized, in good standing, in the judicial circuit in which the process was served.

Under penalties of perjury, I declare that I have read the forgoing document and that the facts stated in it are true.

**COPY**

---

**William Tucker**  
C.P.S #773

**Metro Process Service, Inc.**  
**19 West Flagler Street**  
**Suite #418**  
**Miami, FL 33130**  
**(305) 374-7387**

Our Job Serial Number: 2008003696

**RETURN OF SERVICE**

UNITED STATES DISTRICT COURT  
Southern District of Florida

Case Number: 08-CV-3729

Plaintiff:

**TM ASIA INSURANCE SINGAPORE, LTD., a/s/o PERFUMES  
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vs.

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For:

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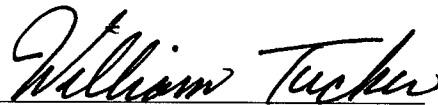
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